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Atty. Dkt. No. 041673-2114

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David A. Gough

Title: MEMBRANE AND ELECTRODE
STRUCTURE FOR
IMPLANTABLE SENSOR

Appl. No.: 10/719,541

Filing Date: 11/20/2003

Examiner:

Art Unit:

<u>CERTIFICATE OF MAILING</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
<u>DIANE GARCIA</u> (Printed Name)	
<u>Diane Garcia</u> (Signature)	
1-16-04 (Date of Deposit)	

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith Forms PTO/SB/08 and PTO-892 which are a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 10/078,567, filed 02/15/2002 and corresponding application 10/698,911 filed 10/31/2003. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of all forms be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 1-14-04^{slt}

By *Stacy L. Taylor*

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Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842

2067

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

JAN 20 2004

TRADEMAKES as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/078567
Filing Date	02/15/02
First Named Inventor	Gough
Group Art Unit	3736
Examiner Name	

Attorney Docket Number 041673-2067

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
A1	4,650,547			Gough	Mar. 17, 1987	
A2	5,964,993			Blubaugh et al.	Oct. 12, 1999	
A3	5,882,494			Van Antwerp	Mar. 16, 1999	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature

Date Considered

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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>Date Submitted: July 9, 2003</i> <i>(use as many sheets as necessary)</i>				Application Number 10/078,567 Filing Date 02/15/2002 First Named Inventor Gough, David A. Group Art Unit 3736 Examiner Name Not Yet Assigned Attorney Docket Number 041673-2067	
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			C mplete if Known	
			Application Number	10/698,911
			Filing Date	10/31/2003
			First Named Inventor	David A. Gough
			Group Art Unit	
			Examiner Name	
Sheet	1	of	Attorney Docket Number	041673-2113

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		4,484,987		Gough	12-27-1984	
		4,650,547		Gough	03-17-1987	
		4,671,288		Gough	06-09-1987	
		4,890,620		Gough	01-02-1990	
		5,322,063		Allen et al.	06-21-1994	
		5,660,163		Schulman et al.	08-26-1997	
		2002/0156355		Gough	10-24-2002	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
							T ⁶

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.					T ⁶
		Armour, et al., "Application of chronic intravascular blood glucose sensor in dogs." <i>Diabetes</i> , 39:1519-1526, 1990					
		Bremer, et al., "Benchmark data from the literature for evaluation of new glucose sensing technologies." <i>Diabetes Technol. Ther.</i> , 3:409-418 (2001)					
		Choleau, et al., "Calibration of a subcutaneous amperometric glucose sensor Part 1. Effect of measurement uncertainties on the determination of sensor sensitivity and background current." <i>Biosens. Bioelectron.</i> , 17:647-654 (2002)					
		Choleau, et al., "Calibration of a subcutaneous amperometric glucose sensor implanted for 7 days in diabetic patients Part 2. Superiority of the one-point calibration method." <i>Biosens. Bioelectron.</i> , 17:641-646 (2002)					

Examiner Signature	Date Considered
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Notice of References Cited

JAN 20 2004

PATENT & TRADEMARK OFFICE
U.S. PATENT DOCUMENTS

Application/Control No.

10/078,567

Applicant(s)/Patent Under

Reexamination

GOUGH, DAVID A

Examiner

Navin Natnithithadha

Art Unit

3736

Page 1 of 1

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,650,547	03-1987	Gough, David A.	205/778
	B	US-5,112,455	05-1992	Cozzette et al.	205/778
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

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